

**Senate Bill No. 1697**

**CHAPTER 680**

An act to add Section 395.5 to the Military and Veterans Code, relating to military service.

[Approved by Governor September 29, 2006. Filed with  
Secretary of State September 29, 2006.]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1697, Soto. Military service: benefits.

Existing law provides certain benefits and protections for members of the state militia, as specified.

This bill would require the Military Department to comply with the provisions of Section 4301 of Title 38 of the United States Code, the Uniformed Services Employment and Reemployment Rights Act (USERRA), and would provide that Military Department personnel, as specified, shall be considered employees and provided the same federal reemployment protections and benefits given to other employees under USERRA.

*The people of the State of California do enact as follows:*

**SECTION 1.** It is the intent of the Legislature to ensure that Military Department personnel who are employed on state active duty and are deployed, mobilized, or otherwise subject to any federal active service under voluntary or involuntary conditions, are provided the same federal reemployment protections and benefits given to other state employees of Section 4301 of Title 38 of the United States Code, the Uniformed Services Employment and Reemployment Rights Act.

**SEC. 2.** Section 395.5 is added to the Military and Veterans Code, to read:

395.5. (a) The Military Department shall comply with the provisions of Section 4301 of Title 38 of the United States Code, the Uniformed Services Employment and Reemployment Rights Act (USERRA).

(b) For purposes of USERRA, Military Department personnel who are on state active duty and are deployed, mobilized, or otherwise subject to any federal active service under voluntary or involuntary conditions, shall be considered employees and provided the same federal reemployment protections and benefits given to other employees under USERRA.

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